



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

SHORT SUBDIVISION – REVIEW CHECK LIST AND DECISION

Application Number: 2402815
Applicant Name: Ale Kondelis of Cramer Northwest
Address of Proposal: 4809 South Fontanelle Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide two parcels of into four parcels of land. Proposed parcel sizes are: A) 5,000 sq. ft., B) 5,000 sq. ft., C) 5,931 sq. ft.; and D) 5,017 sq. ft. Existing single-family structures to remain on proposed Parcel A. and proposed Parcel D.

The following approval is required:

Short Subdivision - to subdivide two existing parcels into four parcels.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The subject site is a through lot, and has street frontage on South Fontanelle Street and South Austin Street between 48th Avenue South and Rainier Avenue South. The existing lots total an area of approximately 20,944 square feet. The site is located in a Single Family 5000 (SF 5000) zone. The site is irregular in shape with minimal slope. Currently two single-family structures occupy the development site, with one on each of the existing parcels. Surface parking is currently accessed off of the adjacent streets. The site is vegetated with grass and approximately six trees. According to GIS maps, the site is not designated as a City of Seattle Environmental Critical Area (ECA).

South Fontanelle Street is a two-lane paved street with gutters and sidewalks on the south side of the street. South Austin Street is a two-lane paved street with gutters and sidewalks on the north side of the street. Zoning in the vicinity is Single Family 5000 (SF 5000) from the subject site west and Multi-Family Lowrise-3 (L-3) to the east. Development in the area consists of single family residences and some multifamily structures, but is characterized largely by the single family development.

Proposal

The proposal is to subdivide two parcels of land into four (4) parcels. Proposed parcel sizes are indicated in the summary above. Proposed Parcel A will have vehicular access off of South Fontanelle Street via a 10-foot wide access easement over Parcel B. Proposed Parcel B will obtain access to parking from South Fontanelle Street. Proposed Parcel C will obtain vehicular access from South Austin Street via a 12-foot wide access easement over Parcel D. Proposed Parcel D will obtain access from South Austin Street. The existing single family structures will remain at the development site on proposed Parcel A and Parcel D.

Public Comment:

Date of Notice of Application:	August 5, 2004
Date End of Comment Period:	August 18, 2004
# Comment Letters	0

PLAN REVIEW – SHORT SUBDIVISION

SMC [23.24.020](#) Content of application.

Applications for approval of a short subdivision shall include the following:

- A. ☒ Plat of the proposed short subdivision containing standard survey data;
- B. ☒ Vicinity map on which shall be indicated the property to be subdivided;
- C. ☒ Plot plan, as appropriate, showing the location and dimensions of existing buildings in relation to the proposed short subdivision;
- D. ☒ Legal descriptions of the property to be subdivided and of all proposed lots or divisions;
- E. ☒ Name and address of owner(s) of the tract;
- F. ☒ Location of existing roadways, sanitary sewer, storm drain and water main, if any, together with proposed street improvements; and
- G. ☒ Specific location and description of all trees at least six (6) inches in diameter measured four and one-half (4 ½) feet above the ground, with species indicated.

SMC [23.24.030](#) Content of short subdivision.

- A. Every short plat of a short subdivision filed for record must contain:
 - 1. ☒ A certificate giving a full correct description of the lands divided as they appear on the short plat, including a statement that the short subdivision has been made with the free consent and in accordance with the desires of the owner or owners.
 - 2. ☐ If the short plat includes a dedication, the certificate or a separate written instrument of dedication shall contain the dedication of all streets and other areas to the public, an individual or individuals, religious society or societies or to any corporation, public or

private, as shown on the short plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of the road.

- 3. ☐ Roads not dedicated to the public must be clearly marked on the face of the short plat.
- 4. ☐ All short plats containing a proposed dedication must be accompanied by a title report confirming that the title of the lands as described and shown on the short plat is in the name of the owner signing the certificate or instrument of dedication.
- B. ☐ The certificate and instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the land subdivided and shall be recorded as part of the final plat. Any dedication, donation, or grant as shown on the face of the short plat shall be considered to all intents and purposes as a quitclaim deed to the donee or donees, grantee or grantees for his, her or their use for the purpose intended by the donors or grantors.

SMC [23.24.035](#) Access.

- A. ☒ Every short plat shall include adequate provision for dedication of drainage ways, streets, alleys, easements, slope rights, parks and other public open spaces for general purposes as may be required to protect the public health, safety and welfare.
- B. ☐ Protective improvements and easements to maintain the improvements shall be dedicated at the discretion of the City.
- C. ☒ Convenient pedestrian and vehicular access to every lot by way of a dedicated street or permanent appurtenant easement shall be required.
- D. ☐ Access to new lots shall be from a dedicated street, unless the Director determines that the following conditions exist, and permits access by a permanent private easement:
 - 1. ☐ Access by easement would not compromise the goals of the Land Use Code to provide for adequate light, air and usable open space between structures; and
 - 2. ☐ The dedication and improvement of a street is not necessary or desirable to facilitate adequate water supply for domestic water purposes or for fire protection, or to facilitate adequate storm drainage; and
 - 3. ☐ The dedication and improvement of a street is not necessary or desirable in order to provide on-street parking for overflow conditions; and

- 4. ☐ No potential safety hazards would result from multiple access points between existing and future developments onto a roadway without curbs and with limited sight lines; and
- 5. ☐ There is identifiable access for the public and for emergency vehicles; and
- 6. ☐ There is no potential for extending the street system.
- E. ☒ Dedicated streets and alleys shall meet the requirements of Chapter [23.53](#) and the Street Improvement Manual. Easements shall meet the requirements of Section [23.53.025](#).

CRITERIA REVIEW – SHORT SUBDIVISION

- A. The Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat.
 - 1. Conformance to the applicable Land Use Code provisions (including street improvement requirements);
 - ☐ Zoning review approved.
 - ☒ Development standards of underlying zone (including Overlays).
 - ☒ Chapter [23.53](#) Streets and Alleys
 - ☒ Chapter [23.54](#) Parking and Access
 - ☒ Zoning review approved with conditions or corrections.
 - 2. Adequacy of access for vehicles, utilities and fire protection, as provided in Section [23.53.005](#);
 - ☒ Fire Marshal's Office approved.
 - ☐ Fire Marshal's Office approved with conditions.
 - ☐ Seattle City Light review approved.
 - ☒ Seattle City Light requires easement.
 - 3. Adequacy of drainage, water supply, and sanitary sewage disposal;
 - ☒ Drainage review approved.
 - ☐ Drainage review approved with conditions.
 - ☒ Seattle Public Utilities Water Availability Certificate (WAC) approved.
 - ☐ Seattle Public Utilities requirements for WAC approval.
 - 4. Whether the public use and interests are served by permitting the proposed division of land;
 - ☐ Department of Parks and Recreation approved.
 - ☐ Department of Parks and Recreation approved with conditions.

- ☐ Department of Neighborhoods (landmark sites or Districts) approved.
 - ☐ Department of Neighborhoods (landmark sites or Districts) approved with conditions.
 - ☒ Building Plans Examiner review and approval.
 - ☐ Building Plans Examiner approval with conditions.
 - ☒ The proposal meets all applicable criteria for approval of a short plat as discussed in the analysis and decision, therefore meets this criterion.
5. Conformance to the applicable provisions of SMC Section [25.09.240](#) , short subdivision and subdivisions in environmentally critical areas;
- ☒ Site not located in a riparian corridor buffer, wetland, wetland buffer or steep slope.
 - ☐ Site exempt from ECA Ordinance (SMC [25.09.040](#))
6. Is designed to maximize the retention of existing trees;
- ☐ Site does not contain trees at least 6-inches in diameter measured 4-½ feet above the ground.
 - ☒ Site does not contain Exceptional Trees as defined in Director's Rule [6-2001](#).
 - ☒ The short subdivision meets the applicable provisions of SMC [25.11](#).
 - ☐ A tree preservation plan is required.

SMC 23.24.060 Redivision procedure.

- ☒ Within a five (5) year period following the filing of a short subdivision in accordance with the provisions of Chapter [23.22](#), property within that short subdivision may not be further divided through the short subdivision process if it would result in more than a total of nine (9) lots. However, any revision of the lot lines of an approved short subdivision in which the total number of lots is not increased shall not be considered a further division, and shall be approved or disapproved in the manner prescribed in Chapter [23.28](#).

DECISION – SHORT PLAT: **CONDITIONALLY APPROVED**

CONDITIONS – SHORT PLAT:

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes.

The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. All existing structures shall be shown on the face of the plat, and their distances to the property lines dimensioned. Lot areas shall be shown on the plat. The short plat drawing shall be stamped by a licensed surveyor.

2. Add the conditions of approval to the face of the plat, or on an additional page if needed. If the conditions are on a separate page, insert on the plat:
“For conditions of approval after recording, see Page ____ of ____.” (If necessary, renumber the pages).
3. Outline on the face of the short plat: the legal descriptions for the existing and proposed lots; the location of the existing utility lines on the face of the plat; all ingress and egress and utilities easements.
4. Submit the final recording forms and fee.

After Recording and Prior to Issuance of a Building Permit

The owner(s) and/or responsible party(s) shall:

1. Attach a copy of the recorded short plat to all building permit plan sets.

Signature: (signature on file) Date: November 4, 2004
Bryan Stevens, Land Use Planner